

ORIGINAL

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

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Illinois Commerce Commission  
RAIL SAFETY SECTION

Union Pacific Railroad Company, Jonathan Creek )  
Township Road District of Moultrie County, Lowe )  
Township Road District of Moultrie County, the County )  
Of Moultrie, and the State of Illinois, Department of )  
Transportation. )  
)  
Stipulated Agreement regarding improving public ) T04-0070  
safety at the Township Road ("TR") 39 highway-rail grade )  
crossing of the Company's track located near the City )  
of Arthur, Moultrie County, Illinois, designated as crossing )  
AAR/DOT 167 044N, milepost 167.00-CC. )

**SUPPLEMENTAL PETITION**

Union Pacific Railroad Company hereby petitions the Commission as follows:

1. By Order upon Stipulated Agreement dated October 20 2004, Union Pacific Railroad Company ("Union Pacific") was to complete certain improvements at the Township Road ("TR") 39 highway-rail grade crossing of the Union Pacific's track located near the City of Arthur, Moultrie County, Illinois, designated as crossing AAR/DOT 167 044N.

2. Union Pacific commenced the work in a timely manner but had difficulties obtaining a commercial power connection to service the improvements which caused delays in completion.

3. Nearly all of the work was completed prior to the commercial power connection being available, but at that point one of the signal masts for this project had to be used to repair an existing signal device at a nearby crossing (Sycamore Street in Villa Grove) which was damaged in an accident. This caused additional delays in having to reorder the signal mast and before it arrived the crew had to move on to its next project.

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4. It is now anticipated that the project can be completed by November 10, 2005.

5. This Supplemental Petition is supported by the Affidavit of David W. McKernan, attached hereto as Exhibit 1.

WHEREFORE, Union Pacific requests that the Commission grant a twenty-one day extension to the October 20, 2005 completion date to and including November 10, 2005

UNION PACIFIC RAILROAD COMPANY

BY: \_\_\_\_\_

Roy P. Farwell

100 North Broadway, Suite 1500

St. Louis, MO 63102

Telephone: (314) 331-0566

Facsimile: (314) 331-0564

**CERTIFICATE OF SERVICE**

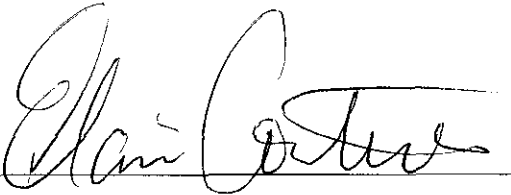
The undersigned hereby certifies that a copy of the foregoing was mailed first class mail, postage prepaid, this 3/57 day of October, 2005 to:

Mr. Jeff Harpring  
Illinois Department of  
Transportation  
2300 South Dirksen Parkway  
Room 205  
Springfield, IL 62794

Mr. Clifford Johnson  
Highway Commissioner  
Lowe Township Rd. District  
425 South Eberhardt Drive  
Arthur, IL 61911

Mr. Rodney Perrine  
Highway Commissioner  
Township of Jonathan Creek  
RR 2, Box 167  
Sullivan, IL 61951

Mr. Paul Riley  
Assistant County Engineer  
Moultrie County Highway Dept.  
10 South Main Street  
Sullivan, IL 61951

A handwritten signature in cursive script, appearing to read "Paul Riley", is written over a horizontal line.

STATE OF MISSOURI       )  
                                      ) SS  
CITY OF ST. LOUIS       )

**AFFIDAVIT OF DAVID W. MCKERNAN**

COMES NOW David W. McKernan, and being duly sworn, upon his oath, states:

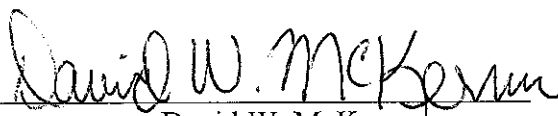
1. I am employed by Union Pacific Railroad Company as Regional Manager Industry and Public Projects which includes responsibility for coordinating projects between the Railroad and public bodies with respect to highway-railroad grade crossings for Union Pacific Railroad Company in the State of Illinois.

2. I am familiar with the Commission's proceeding in Case Number T04-0070 concerning the grade crossing at or near Township Road 39, Moultrie County, Illinois, DOT #167 044N, milepost 167.00-CC, which crossing is within my responsibility.

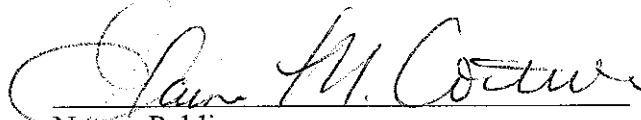
3. Union Pacific commenced the work in a timely manner but encountered difficulties in obtaining a commercial power connection to service the improvements. One of the signal masts for this project had to be used to repair an existing signal device at a nearby crossing Villa Grove which was damaged in an accident.

4. Union Pacific believes that it can complete this project no later than November 10, 2005.

FURTHER AFFIANT SAYETH NAUGHT.

  
David W. McKernan

Subscribed and sworn to before me this 31st day of October, 2005.

  
Notary Public

My Commission Expires:

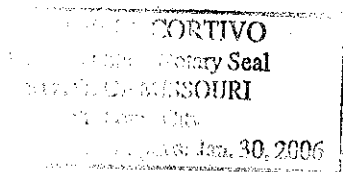


EXHIBIT 1